

REPORT ABUSE & NEGLECT

If you suspect **criminal** abuse or neglect:

1. **Immediately** report the incident, verbally or by letter, to the administrator, social worker, director of nursing, or the charge nurse of the health care facility.
2. **Immediately** report the incident to my office, the Michigan Department of Community Health, the State Police, and/or the local police or Sheriff's Department.

Department of Attorney General:

Health Care Fraud Division
PO Box 30218, Lansing, MI 48909
Hotline: 800-24-ABUSE (800-242-2873)
Fax: 517-241-1029, www.michigan.gov/ag
email: hcf@michigan.gov

Department of Community Health:

Bureau of Health Systems
Complaint Intake Unit
PO Box 30664, Lansing, MI 48909
Hotline: 800-882-6006

3. **Obtain** photographs of the physical injury and make a written statement detailing:

- WHAT you observed;
- WHEN you observed it;
- WHO was present; and,
- ANY other information.

• **FACILITIES:** Regulatory/quality of care issues should be reported to the facility administration AND to the Michigan Department of Community Health. **Hotline: 800-882-6006.**

• **PRIVATE HOME** If you suspect elder abuse, neglect, or exploitation, notify the Department of Human Services, County Protective Services in your local telephone directory, or **Statewide Hotline 800-996-6228**, or call your Local Law Enforcement Agency.

PROTECT YOUR LOVED ONE

- Visit frequently, at different times – don't be predictable.
- Ask questions about care.
- Check for bedsores, unexplained bruises, and pain.
- Note the cleanliness of the residents and facility.
- Check for weight loss or dehydration.
- Keep a small journal for notes after visits.
- Take your camera. Each visit, have your photo taken with your loved one and date it.
- Report any suspected abuse.

RELATED INFORMATION

Citizens for Better Care:

Central Michigan: 517-393-9405
Eastern Michigan: 800-284-0046
Northwestern Michigan: 231-947-2504
Southeastern Michigan: 800-833-9548
Western Michigan: 800-782-2918
Upper Peninsula: 866-485-9393
www.cbcmi.org

Elder Law of Michigan, Inc.

Legal Hotline for Michigan Seniors:
800-347-5297, www.elderlawofmi.org

Michigan Office of Services to the Aging:

State Long Term Ombudsman: Sarah Slocum
517-373-8230, Fax: 517-373-4092
www.michigan.gov/miseniors

Michigan Protection & Advocacy Service:

800-288-5923, www.mpas.org

UPCAP Services, Inc.:

1-800-33UPCAP (800-338-7227)
www.upcapservices.com

Centers for Medicare & Medicaid Services:

www.cms.hhs.gov

Michigan Department of
Attorney General

Resident ABUSE & NEGLECT in Health Care Facilities



Bill Schuette
Attorney General

STATE OF MICHIGAN ATTORNEY GENERAL



Dear Friends,

The treatment of residents and patients in Michigan's residential health care facilities is of concern to all citizens.

Those who are confined

to nursing homes, recuperating in a home for the aged, or in need of adult foster care are among the most vulnerable and defenseless in our society. Unfortunately, sometimes they are also criminally abused or neglected.

Defending the rights of and protecting these citizens is one of my highest priorities. My Health Care Fraud Division has the responsibility to investigate and prosecute criminal abuse and neglect in all residential health care facilities.

The information in this pamphlet addresses the most frequently asked questions about abuse and neglect, identifies key legal rights of vulnerable adults, and provides appropriate contact resources. Together we can make a difference and insure that those who abuse and neglect our most vulnerable citizens are brought to justice.

Sincerely,
Bill Schuette

FACILITIES

Any resident and/or patient receiving treatment or care in a residential health care facility is entitled to the protections detailed in this brochure. The following are examples of facilities wherein this office has jurisdiction to investigate criminal abuse and neglect.

- NURSING HOME
- HOSPITAL LONG TERM CARE UNIT
- HOME FOR THE AGED
- COUNTY MEDICAL CARE FACILITY
- ADULT FOSTER CARE FACILITY
- ASSISTED LIVING FACILITIES

WHAT IS ABUSE & NEGLECT?

Harmful Neglect

- Suspicious or questionable injuries or death;
- A resident experiences unexplained substantial weight loss or is severely dehydrated;
- A resident develops painful bedsores.

Assault and Battery

- An individual threatens or strikes a resident;
- Use of unauthorized physical or chemical restraints.

Criminal Sexual Conduct

- An individual engages in unlawful sexual contact with a resident.

Embezzlement of Funds/ID Theft

- An individual wrongfully removes funds from a resident's account;
- An individual obtains a financial "loan" or "gift" from a resident;
- An individual obtains and uses the personal identifying information of a resident.

RESIDENT'S RIGHTS

1. A patient or resident **shall not be denied** appropriate care on the basis of race, religion, national origin, sex, age, handicap, marital status, sexual preference, or source of payment.
2. An individual may obtain a copy of, or inspect his/her medical records, and a third party shall not be given a copy without authorization of the patient except as required by law and third party contract.
3. A patient or resident is **entitled** to privacy, to the extent feasible, in treatment and caring for personal needs with consideration, respect, and full recognition of his/her dignity and individuality.
4. A patient or resident is **entitled** to adequate and appropriate care and to receive information about his/her medical condition, proposed treatment and prospects for recovery, unless medically contraindicated by the physician in the medical record.
5. A patient or resident is **entitled** to receive and examine an explanation of his/her bill. Also, he/she is entitled to know who is responsible for, and who is providing, his/her care.
6. A patient or resident is **entitled** to associate and have private communication with his/her physician, attorney or any other person, and to send and receive personal mail unopened, unless medically contraindicated. A patient's or resident's civil and religious liberties shall not be infringed and the facility shall encourage and assist in the exercise of these rights.
7. A patient or resident is **entitled** to be free from MENTAL and PHYSICAL ABUSE and, except as authorized by a physician, or as necessitated by an emergency to protect the patient, free from physical and chemical restraints.
8. A patient or resident is **entitled** to retain and use personal clothing and possessions as space permits. At the request of a patient, a nursing home shall provide for safekeeping of personal property and funds, except that a nursing home shall not be required to provide for the safekeeping of property which would impose an unreasonable burden on the nursing home.
9. Each nursing home patient shall be provided with meals which meet the recommended dietary allowances for the patient's age and sex and may be modified according to special dietary needs.
10. A nursing home, its owner, administrator, employee, or representative shall not discharge, harass, retaliate or discriminate against a patient because a patient has exercised rights protected by law.

The Michigan Public Health Code

[PARTIAL LIST as provided by statute, MCL 333.20201; MSA 14.15(20201)]